



**MINUTES**  
**COMMITTEE OF THE WHOLE MEETING**  
**Tuesday, October 14, 2014**

Present:

Mayor Blomberg

Trustee Feldman

Trustee McDonough

Trustee McAllister

~~Village Treasurer Curtis~~

Village Manager Burke

Finance Director Peterson

Community & Economic Development

Director McNellis

Operations Superintendent Phippen

Trustee Brandt

Trustee Grujanac

Trustee Servi

Village Clerk Mastandrea

Village Attorney Simon

Chief of Police Kinsey

Public Works Director Woodbury

Engineering Supervisor Horne

Planner Robles

**ROLL CALL**

Mayor Blomberg called the meeting to order at 7:13 p.m. and Village Clerk Mastandrea called the Roll.

**2.0 APPROVAL OF MINUTES**

**2.1 Acceptance of September 22, 2014 Committee of the Whole Meeting Minutes.**

The minutes of the September 22, 2014 Committee of the Whole Meeting were approved as submitted.

**3.0 ITEMS OF GENERAL BUSINESS**

Mayor Blomberg requested the Board discuss Public Safety item 3.41 next on the agenda

It was the consensus of the Board to move up item 3.41 for discussion.

**3.4 Public Safety**

**3.41 Consideration and Discussion of a Proposal to Create a New Liquor License Classification Permitting the Sale of Beer and Wine in Movie Theaters for Consumption on Premises (Regal Cinema)**

Chief of Police Kinsey provided in update relative to Board direction from the September 22, 2014 Committee of the Whole

Meeting. Chief of Police Kinsey noted his research found several other communities currently allow this type of liquor sales. Staff collaborated with the Village attorney to draft an amendment to include the sale of alcoholic beverages in the movie theater.

Trustee McDonough asked if the proposed liquor license would be for beer and wine or any type of liquor. Chief of Police Kinsey noted the proposed liquor license would permit any type of liquor. Trustee McDonough asked if the Board would be approving the license class and would the theater need to apply for the license. Chief of Police Kinsey confirmed the action would be to put the creation of the license on the Consent Agenda for the next Regular Village Board, and once approved, the theater would need to apply for the license.

Trustee Grujanac asked if only one license was being created. Chief of Police Kinsey noted there would only be one liquor license of this class in the Village.

There was a consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

### 3.1 Planning, Zoning and Land Use

#### **3.11 Consideration and discussion of a Zoning Board Recommendation Regarding Text Amendments to Chapter 2, Definitions, Chapter 5D, Mixed Use General Residence District, Chapter 6, Business Districts and Chapter 8, Office/Industrial District of Title 6, Zoning of the Lincolnshire Village Code, to Revise and Update Permitted Uses and Special Uses within the Village's Non-Residential Zoning Districts (Village of Lincolnshire)**

Village Planner Robles provided a presentation regarding the Zoning Board recommendation regarding text amendments to Chapter 2, Definitions, Chapter 5D, Mixed Use General Residence District, Chapter 6, Business Districts and Chapter 8, Office/Industrial District of Title 6, Zoning of the Lincolnshire Village Code, to Revise and Update Permitted Uses and Special Uses within the Village's Non-Residential Zoning Districts.

Village Planner Robles noted Zoning Board recommendations and stated the B1 & B2 Districts current code provisions restrict ground floor uses occupied by non-sales tax generating uses to 25% of gross floor area, except for buildings constructed prior to

January 1, 1995. The Zoning Board agreed with staff and determined a moderate increase in the restriction to 33% or 1/3 of the gross floor area was suitable.

Trustee Brandt noted sales tax is an important revenue source for the Village and noted vacancies are a concern in the business districts. Trustee Brand asked if increasing the percentage of non-sales tax generating uses permitted in the B1 & B2 Zoning Districts would achieve more business. Village Planner Robles noted one of the discussions with the Zoning Board was that non-sales tax generating uses could result in increased traffic in the shopping centers, which could result in increased traffic for sales tax generating uses. A brief discussion followed relative to the proposed recommendation and the areas of the Village where the proposed restriction would apply. Trustee McDonough stated he was in agreement with the Zoning Board recommendation to change the restriction from 25% to 33%. However, Trustee McDonough questioned if the proposed change was enough to make an impact on the shopping centers. Trustee McDonough noted it was his opinion to increase the amount of non-sales tax generating uses to an even higher percentage; such as 40%. Mayor Blomberg suggested reaching out to the owners and leasing agents to get feedback for what they think is in demand for these spaces and if such a change in the percentage of non-sales tax generating uses would even have an impact.

Village Planner Robles continued with his presentation regarding the proposed changes in the B1 & B2 Districts. Village Planner Robles asked for direction from the Board regarding special uses in the B1 & B2 Zoning Districts. Trustee McDonough noted his opinion was to have each special use presented before the Board and in most cases; the Board would likely approve them. Village Planner Robles noted the process of bringing all special use requests before the Board would not be as business friendly since the steps for approval would take longer. Mayor Blomberg suggested reviewing the list of special uses prior to approving the change to retain them as a special use in the B Districts.

Village Planner Robles continued with his presentation regarding the proposed changes in the other Zoning Districts in the Village.

A brief conversation about the Zoning Board recommendation to eliminate the current space limitations for a multi-tenant building in the O/Ic & O/Id Districts followed. Trustee Feldman agreed with the Zoning Board to eliminate square footage limitations. Mayor Blomberg asked if staff had received requests for smaller spaces

in this District. Village Planner Robles noted staff had received occasional inquiries for smaller spaces in these Districts. Staff researched other municipalities and found there are no such limitations in the surrounding municipalities. Trustee McDonough suggested reaching out to the owners and leasing agents to see if potential businesses get turned away due to the space limitations/size requirement.

Village Planner Robles provided a summary regarding the creation of “assembly uses” and noted staff worked with the Village Attorney for consistency. Village Planner Robles explained Staff proposes assembly uses be split into two types with definitions updated in the code as follows: 1) Membership Assembly Use, and 2) Non-Membership Assembly Use. These land use types classify the various assembly-type uses and are incorporated in the permitted/special uses tables in the B, E, and O/I Districts. Village Planner Robles clarified membership assembly uses, such as religious uses, lodges and clubs, have been limited to the E District to promote sales tax uses in the B and O/I Districts.

Village Planner Robles noted the Zoning Board did not delve into the topic of assembly uses when developing the recommendations before the Village Board at this meeting. The topic of addressing assembly uses came up with staff and the Village Attorney during the drafting of the formal ordinance language. Trustee Servi suggested the Zoning Board review these proposed changes. Village Planner Robles noted it is the intent for the Zoning Board to review the suggested changes to the assembly uses but wanted feedback from the Village Board prior to the Zoning Board review.

Mr. Chuck Lamphere, representing Van Vlissingen approached the Village Board to address the topics of multi-tenancy and assembly uses. Mr. Lamphere explained the business parks they manage in other communities do permit certain assembly type uses. Mr. Lamphere noted neighboring communities take a more flexible approach to such uses than what is currently being proposed. Mr. Lamphere noted regarding the change on permitting flexibility in multi-tenancy in the business parks, Lincolnshire is the only municipality that limits multi-tenant space. Mr. Lamphere noted his opinion would be to eliminate space limitations and prove the Village to be less over-regulating and willing to work with businesses.

Mr. Lamphere noted he sent a letter to the Village highlighting issues with Membership Assembly Uses. Mr. Lamphere noted such uses can be viewed as complimentary to the business parks as they typically are most used during evenings and weekend hours when other businesses in the corporate centers are not in operation. Mr. Lamphere noted visitors to such assembly uses then have the potential to visit the nearby retail and restaurant businesses in the Village. Mr. Lamphere expressed his opinion the Village should consider permitting membership assembly uses such as churches via a special use permit process which would require approval by the Village Board.

It was the consensus of the Board to have the Zoning Board review the assembly uses, minutes from this meeting, and Mr. Chuck Lamphere's letter. Staff will also work with owners and leasing agents to get feedback as requested by the Village Board.

**3.12 Preliminary Evaluation of proposed amendments to Chapter 11, Off-Street Parking & Loading of Title 6, Zoning, of the Lincolnshire Village Code to revise and update parking regulations (Village of Lincolnshire)**

Village Planner Robles provided a summary of the proposed amendments to Chapter 11, Off-Street Parking & Loading of Title 6 of the Village Code to revise and update parking regulations.

Trustee McDonough asked if only office parking is being proposed to change. Village Planner Robles noted all parking regulations will be researched prior to proposed changes coming forward to the Village Board for considerations. Village Planner Robles noted the intent of bringing this matter to the Village Board is for Preliminary Evaluation and initial feedback prior to taking the matter to the Zoning Board.

It was the consensus of the Board for staff to research and refer this to the Zoning Board.

**3.13 Consideration and discussion of proposed text amendments to Title's 4, Health & Sanitation, 5, Building Regulations, 8, Public Ways & Property and 10, Motor Vehicles & Traffic, to update and clarify property maintenance regulations (Village of Lincolnshire)**

Community & Economic Development Director McNellis provided a summary of the proposed text amendments to Title's 4, Health & Sanitation, 5, Building Regulations, 8, Public Ways & Property

and 10, Motor Vehicles & Traffic, to update and clarify property maintenance regulations. Six clean-up recommendations are being proposed.

Trustee Feldman asked if exterior lighting would be a part of these proposed regulations. Community & Economic Development Director McNellis noted lighting has been discussed in the past and this was not something staff has received direction from the Board to regulate.

Mayor Blomberg suggested making a regulation giving residents a time-frame for leaves to be cleaned up may be something the Village should consider. Community & Economic Development Director McNellis stated this has been brought up in the past. A conversation followed regarding leaf pick-up dates and posting the information.

There was a consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

### 3.2 Finance and Administration

### 3.3 Public Works

#### **3.31 Consideration and Discussion of a Proposal for the Installation of New Utility Building Doors from Replacement Window Systems, Inc. Markham, Illinois in the Amount of \$23,725 (Village of Lincolnshire)**

Operations Superintendent Phippen provided a summary of the proposal for the installation of new utility building doors from Replacement Window Systems, Inc.

There was a consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

#### **3.32 Consideration and Discussion of a Proposal for the Installation of a Public Works Facility Exhaust System from F.E. Moran, Inc. in the Amount of \$31,470. (Village of Lincolnshire)**

Operations Superintendent Phippen provided a summary of the proposal for the installation of a Public Works Facility exhaust system from F.E. Moran, Inc.

There was a consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

**3.33 Consideration and Discussion of a Entering into a Contract with Hoving Clean Sweep, LLC., West Chicago, Illinois, for Street Sweeping Services (Village of Lincolnshire)**

Public Works Director Woodbury provided a summary of the request to enter into a contract with Hoving Clean Sweep, LLC for street sweeping services.

Mayor Blomberg asked if the contract would include special circumstances related to a possible clean-up after a storm or other extenuating circumstances. Public Works Director Woodbury stated the budget will allow for these instances.

There was a consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

**3.34 Consideration and Discussion of Joint Purchasing Agreement with Morton Salt Incorporated in the Amount of \$46,000 for the Purchase of Rock Salt for the 2014-2015 Winter Season (Village of Lincolnshire)**

Public Works Director Woodbury provided a summary of the request for a joint purchasing agreement with Morton Salt Incorporated.

There was a consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

**3.35 Consideration and Discussion of Rejection of Bid from All American Exterior Solutions, Lake Zurich, IL for Village Hall and Utility Building Roof Replacements (Village of Lincolnshire)**

Operations Superintendent Phippen provided information related to the proposed rejection of the bid from All American Exterior Solutions. Only one bid was received for the projects in excess of the budgeted amount. Staff believes the reason for the high bid was the wet spring pushing the contractors back in their schedule. Staff believes re-bidding this at the beginning of next year would result in a more reasonable bid.

Trustee Feldman asked how bad the roof is and if it could wait another year. Operations Superintendent Pippen stated the roof could wait until the spring of 2015, and the current bid, if approved would have been for construction next year.

There was a consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

3.4 Public Safety

~~3.41 **Consideration and Discussion of a Proposal to Create a New Liquor License Classification Permitting the Sale of Beer and Wine in Movie Theaters for Consumption on Premises (Regal Cinema)**~~

This item was moved up and discussed earlier on the agenda.

3.5 Parks and Recreation

3.6 Judiciary and Personnel

5.0 **UNFINISHED BUSINESS**

6.0 **NEW BUSINESS**

Village Manager Burke stated he has been in discussions with the Regional Manager from Eddie Merlot's and they have inquired about a possible change to their liquor license concept to include a wine club membership. This would include taking a wine of the month home as a packaged sale from the restaurant. Mr. Stoltman representing Eddie Merlot's, summarized the possible request to change their liquor license. The Board was in agreement to pursue the proposed request. Trustee Brandt commended Eddie Merlot's on their participation in the Taste of Lincolnshire.

Trustee Brandt noted her attendance at the Wheeling Taste of the Town which was held inside the Weston Hotel. Trustee Brandt highlighted specifics of the event and noted this type of event would be a great opportunity to consider for Lincolnshire.

Trustee McAllister noted the electronic Board packets are a great idea and was happy not to get a packet of paper. Village Manager Burke noted a suggestion was brought up for the Board to possibly take home the tablets on Thursday to use over the weekend, prior to the meeting instead of their personal computer. A brief discussion followed regarding the tablets used by the Board; whether they should be left at the Village Hall, delivered on Thursdays or brought home after each meeting by the Board members. Village Manager Burke noted he would like to get a policy relative to the use of the tablets prior to the Trustees'

taking them home if that is the direction of the Board. Village Manager Burke requested the Board start handling all e-mails, Village related using their new e-mail address since FOIA information can be better tracked and all information from staff will be sent using the new e-mail account. Village Manager Burke noted Trustee McAllister suggested downloading the packet on the Website in a protected area instead of Dropbox and informed the Board a public copy is already on the website. Trustee McDonough requested Management Analyst Shoukry attend the October 20, 2014 Budget Workshop for help with Dropbox access, use of the tables and some general questions.

Trustee Grujanac noted a resident stated concern regarding an increase of alcohol use at North Park on Friday nights. Chief of Police Kinsey noted alcohol is permitted in the park and the Police have not identified issues. A brief discussion followed regarding different events at the Park.

Trustee Brandt noted the development off of Route 22 had blocked off a lane of traffic at 7:30 a.m. one day and noted work should not take place until 9:00 a.m. Trustee Brandt suggested contacting the contractor and reiterating the construction times. Village Manager Burke noted the contractor was informed and staff would follow up with them to ensure such activity does not occur in the future.

Mayor Blomberg reminded the Board, there is a Special Committee of the Whole meeting taking place Monday, October 20, 2014 at 6:00 p.m. and Executive Session would follow to discuss personnel matters.

**7.0 EXECUTIVE SESSION**

**8.0 ADJOURNMENT**

Trustee McDonough moved and Trustee Grujanac seconded the motion to adjourn. Upon a voice vote, the motion was approved unanimously and Mayor Blomberg declared the meeting adjourned at 9:04 p.m.

Respectfully submitted,

**VILLAGE OF LINCOLNSHIRE**

Barbara Mastandrea  
Village Clerk